

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

FREDDIE TRIPLETT,

Plaintiff,

v.

Case No. 2:16-cv-12503

Judge Bernard A. Friedman

Magistrate Judge Anthony P. Patti

HORST KUSSMANN and  
ALMA KUSSMANN,

Defendants.

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**ORDER GRANTING AS UNOPPOSED DEFENDANTS' MOTION TO  
COMPEL CONTINUED DEPOSITION OF PLAINTIFF (DE 12) and  
CANCELLING HEARING NOTICED FOR JANUARY 19, 2017 (DE 14)**

Currently before the Court is Defendants' November 28, 2016 motion to compel Plaintiff's continued deposition. (DE 12.) Judge Friedman referred this motion to me for hearing and determination, and a hearing has been noticed for January 19, 2017. (DEs 13, 14.)

Plaintiff has not opposed the instant motion. "A respondent opposing a motion must file a response, including a brief and supporting documents then available." E.D. Mich. LR 7.1(c)(1). "A response to a nondispositive motion must be filed within 14 days after service of the motion." E.D. Mich. LR 7.1(e)(2)(B). Thus, in the absence of a scheduling order stating otherwise, Plaintiff's response to Defendants' November 28, 2016 motion (DE 12) would have been due on or about

December 15, 2016. *See* Fed. R. Civ. P. 6(a), 6(d). To date, Plaintiff has not filed a response.

Accordingly, Defendants' November 28, 2016 motion to compel continued deposition of Plaintiff (DE 12) is **GRANTED AS UNOPPOSED**. Specifically, given the current fact discovery deadline of January 31, 2017 (*see* DEs 4, 15) and the Court's availability, Plaintiff **SHALL** appear for his continued deposition at the Theodore Levin United States Courthouse (231 W. Lafayette, Detroit, Michigan 48226) sometime during the period of **Friday, January 20, 2017 through Tuesday, January 31, 2017**, after making appropriate arrangements with my Case Manager. Finally, the hearing scheduled for January 19, 2017 (DE 14) is **CANCELLED**.

**IT IS SO ORDERED.**

Dated: December 20, 2016

s/Anthony P. Patti

Anthony P. Patti

UNITED STATES MAGISTRATE JUDGE

I hereby certify that a copy of the foregoing document was sent to parties of record on December 20, 2016, electronically and/or by U.S. Mail

s/Michael Williams

Case Manager for the

Honorable Anthony P. Patti